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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/130,418	08/06/98	SHEA	P 97-1211

PM31/1016

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EXAMINER

BARFIELD, A

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 10/16/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/130,418

Applicant(s)  
Paul H. Shea

Examiner  
Anthony Barfield

Group Art Unit  
3624



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-8 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-8 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 3624

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Davidson.

Davidson discloses a folding seat assembly for a vehicle comprising a seat back (12) having a seat bottom (16) pivotally mounted thereto, and a detent mechanism (24,34,38,40) for providing a resistance to the seat bottom when the seat is folded in an upright position and in a seating position. Davidson further discloses the use of an inertia latch (26) for engaging the seat bottom in the upright position during a rapid deceleration of the vehicle.

3. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Groce et al.

Groce et al discloses a folding seat assembly (10) in an extended cab truck comprising a seat back (34) having a seat bottom (32) pivotally mounted thereto, and a detent mechanism (36) for providing a resistance to the seat bottom when the seat is folded in an upright position and in a seating position. Groce et al further discloses the use of an inertia latch (38 ) for engaging the seat bottom in the upright position during a rapid deceleration of the vehicle.

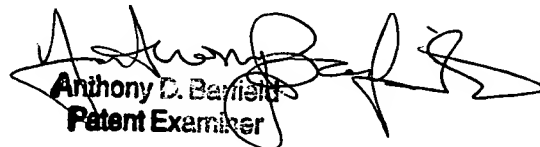
Art Unit: 3624

*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Reference No. 5,224,756, 5,425,568, and 5,476,307 show features of the claimed invention.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Barfield whose telephone number is (703) 308-2158.

adb

October 12, 1998

  
Anthony D. Barfield  
Patent Examiner